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 Washington, D.C. 20554

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 FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

In the Matter of)
)
 Preparation for International) ET Docket No. 93-198
 Telecommunication Radio)
 Communication Conferences)

**COMMENTS OF THE NATIONAL
 ASSOCIATION OF BROADCASTERS**

The National Association of Broadcasters¹ (NAB) hereby replies to comments filed with regard to the Commission's preparation of the United States position for the next International Telecommunications Union World Radiocommunication Conferences.²

In its Notice released on June 28, 1993, the Commission sought comments that would aid it in identifying and developing issues to be placed on the agendas for the 1995 and 1997 World Radiocommunication Conferences ("WRC-95" and "WRC-97"). The Commission sought specific comment on placing on the WRC's agendas discussion of international

¹ NAB is a nonprofit, incorporated association of radio and television broadcast stations and networks. NAB serves and represents America's radio and television stations and broadcast networks.

² See Notice of Inquiry, ("Notice") in ET Docket No. 93-198, FCC Doc. 93-328, released June 28, 1993.

Broadcasting Satellite Service (sound) ("BSS"), particularly, of adherence to Resolution 528 ("Res. 528").³

NAB is vitally interested in issues relating to broadcasting generally and, specifically, to digital radio. NAB therefore responds briefly to three specific topics: (1) BSS issues as commented on by satellite digital audio radio service ("DARS") applicants; (2) wind profiler radar frequency allocations; and (3) allocation of the 1970-2010 MHz and 2160-2200 MHz band for mobile-satellite services (MSS).

First, NAB's general position with regard to digital radio issues is that the Commission must determine the future course for digital radio services in the United States before the U.S. can reasonably take directed positions on international digital audio broadcasting ("DAB") issues at WRCs. The primary question is how to best introduce digital radio in the United States. NAB has maintained that the surest and swiftest manner of introducing digital radio services for the benefit of the American people is through the existing terrestrial radio broadcast services.⁴

³ Final Acts of the 1992 World Administrative Radio Conference and Addendum & Corrigendum, Malaga-Torremolinos, 1992.

⁴ See Comments of the National Association of Broadcasters in Gen. Docket No. 90-357; see also National Association of Broadcasters' Petition to Deny in 28-DSS-LA-93, 12/13-DSS-P-93; National Association of Broadcasters' Petition to Deny in 26/27-DSS-LA-93, 10/11-DSS-P-93;

NAB has therefore urged the Commission to abstain from implementation of satellite DARS and to rely instead on development of in-band on-channel ("IBOC") technologies for

the resolution by its terms does not so limit its applicability. NAB suggests that to do as the DARS applicants request would be to cavalierly flaunt the clear terms of a World Administrative Radiocommunication Conference ("WARC") resolution. NAB further suggests that there are sound reasons, in addition to respect for the terms of WARC resolutions, which support U.S. demurral from these requests and adherence, for now, to Res. 528.

The most prudent path for the U.S. would be to reserve utilization of the lower 25 MHz of the WARC-92 allocation until such time as the policy and service requirements of both satellite DARS and terrestrial DAB are more certain. One, that policy is far from set. And, two, it is unlikely that any U.S. DARS provider would be ready to institute service before a BSS planning conference is held (after which the full allocation is available to satellite DARS. Thus, the United States should honor Res. 528 and not seek immediate utilization of the lower 25 MHz of its spectrum allocation for satellite DARS.

Second, NAB basically agrees with comments of the American Radio Relay League that the issue of wind profiler radar frequency allocations should be placed on a WRC agenda.⁶ NAB has been participating in Radiocommunications Task Group 8/2 ("TG 8/2") Ad Hoc committee activities. TG

⁶ Comments of the American Radio Relay League, Incorporated, ET Docket No. 93-198 at 2, filed July 19, 1993.

8/2 intends to complete its studies in 1993. At that time recommendations may well be formulated as to specific frequency allocations for wind profiler use.

However, NAB does share the concerns of Motorola⁷ regarding potential wind profiler interference issues.⁸ In light of these interference concerns, NAB urges the Commission to insure non-interference in domestic proceedings and to focus on non-interference issues at future international conferences. In the event that the Commission considers the interference issue to be favorably resolved, wind-profiler issues should be placed on the WRC-95 agenda. Should interference problems persist, international discussion of the issue should be deferred to WRC-97.

Third, some commenters assert that the WRC-95 agenda should focus on the MSS allocations made at WARC-92. Specifically, Motorola,⁹ Comsat Mobile Communications ("COMSAT"),¹⁰ and Loral Qualcomm Satellite Services

⁷ Comments of Motorola Inc., ET Docket No. 93-198, filed July 19, 1993; see also Comments of Motorola Inc., ET Docket No. 93-59, filed July 15, 1993.

⁸ See Comments of the National Association of

("LORAL")¹¹ suggest that the U.S. should, as its objective, ensure that the MSS allocations at 2 GHz are made available on a global basis at the earliest possible dates -- earlier than the dates specified in the Final Acts of WARC-92.¹²

One of the 2 GHz bands specified for MSS operation is the 1970-2010 MHz band, part of which is currently allocated in the U.S. for the Broadcast Auxiliary Service ("BAS"). NAB reminds the Commission that the 1990-2110 MHz BAS band is heavily used for electronic newsgathering ("ENG") and other video purposes that operate extensively in the public interest and with well-documented public benefits.¹³ NAB asserts that Commission consideration of MSS operation in the BAS band would be as ill-conceived today as was the proposal two years ago -- since rejected -- of allowing PCS/PCN operation on those frequencies. In two proceedings, the Commission has concluded that it would not disturb ENG

¹¹ Comments of Loral Qualcomm Satellite Services, Inc., ET Docket No. 93-198, filed July 19, 1993.

¹² Footnote 746A to the Table of Frequency Allocations contained in the Final Acts of WARC-92 precludes MSS operation in the 2 GHz bands in the U.S. until 1996. Footnote 746B restricts MSS operation in those bands globally until 2005.

¹³ See Joint Comments of the National Association of Broadcasters, Radio-Television News Directors Association, The Cable-Satellite Public Affairs Network, The Association for Maximum Television, Inc., and Turner Broadcasting System, Inc., ET Docket No. 92-9, filed June 8, 1992; see also Joint Comments of the National Association of Broadcasters, Radio-Television News Directors Association, and the Cable-Satellite Public Affairs Network, Gen. Docket No. 90-314, filed January 9, 1992.

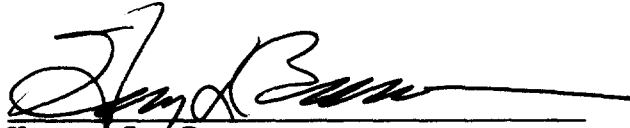
allocations or use.¹⁴ NAB asserts that the Commission now should maintain that stance. NAB sees no reason why MSS operation at 2 GHz should commence prior to the dates indicated in footnotes 746A and 746B. In any event, when future MSS facilities are allowed to operate in the BAS band, it should be done only after effective sharing criteria have been established with MSS facilities' providing complete interference protection to the BAS facilities.

In conclusion, NAB submits that the U.S. position taken at WRC-95 and WRC-97, as formulated by the Commission, should remain flexible and designed to encourage the continued operation of the current American terrestrial

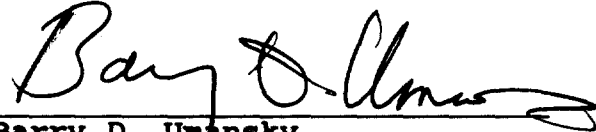
broadcast services which have for so long operated in the public interest.

Respectfully submitted,

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